

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Jessica Kahraman, an individual; D.K., a minor,
through his parent and guardian Jessica Kahraman;
and K.K., a minor, through his parent and guardian
Jessica Kahraman,

Plaintiffs,

vs.

The State of Arizona, a governmental entity; Arizona
Department of Child Safety (“DCS”), a governmental
entity; Sarah Kramer, individually and as an employee
with DCS, and John Doe Kramer, her spouse; Sarah
Mendez, individually and as an employee with DCS,
and John Doe Mendez, her spouse; Madison Bell,
individually and as an employee with DCS, and John
Doe Bell, her spouse; Mecca Temple, individually and
as an employee with DCS, and John Doe Temple, her
spouse; Gregory McKay, individually and as an
employee with the State of Arizona as the former
Director of DCS, and Jane Doe McKay, his spouse;
Michael Faust, individually and as an employee with
the State of Arizona as the current Director of DCS,
and Jane Doe Faust, his spouse; Banner Children’s at
Desert, formerly Cardon Children Medical Center
(“Banner”), an Arizona nonprofit organization; Ryan
M. Stewart, M.D., individually and as an employee
with Banner, and Jane Doe Stewart, his spouse; Maria
Chico, individually and as an employee with Banner,
and John Doe Chico, her spouse; Southwest Human
Development (“SWHD”), an Arizona nonprofit
organization, individually and as a service provider
for the State of Arizona; Drue Kaplan-Siekman,
individually and as an employee with SWHD, and
John Doe Siekman, her spouse; Gwyneth Kelly,
individually and as an employee with SWHD, and
John Kelly, her spouse; Michael Kelly, M.D. an
individual, and Jane Doe Kelly, his spouse; John and
Jane Does 1-5; and Black Entities 1-5,

Defendants.

Case No. 2:22-cv-00375-SRB

FINAL JUDGMENT

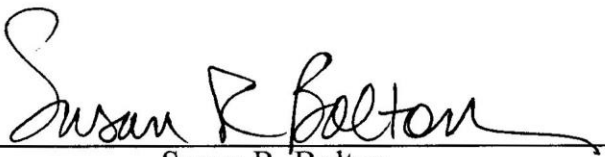
On November 3, 2023, the Court entered its Order [Doc. 188] granting Defendant Gwyneth Kelly's Motion for Judgment on the Pleadings [Doc. 153] as to Plaintiffs' 42 U.S.C. § 1983 - Unlawful Detention (Claim Two); 42 U.S.C. § 1983 – Conspiracy re Unlawful Seizure (Claim Four); 42 U.S.C. § 1983 - Reasonable Efforts to Preserve Family (Claim Five); 42 U.S.C. § 1983 – Due Process re Minors' Medical Decisions (Claim Six); Negligence/Ariz. Rev. Stat. § 8-802 Legal Rights (Claim Eight); Negligence/Ariz. Rev. Stat. § 8-533(B)(8) Reasonable Efforts and Ariz. Rev. Stat. § 8-456(C)(1) Investigation (Claim Nine); and Intentional Infliction of Emotional Distress (Claim Thirteen) claims against Defendant Gwyneth Kelly and dismissed Gwyneth Kelly as a Defendant. On March 26, 2024, the Court entered its Order [Doc. 202] granting Defendant Southwest Human Development's Motion for Judgment on the Pleadings [Doc. 189] as to Plaintiffs' Negligent hiring and training (Claim Fifteen) claim against Defendant Southwest Human Development and dismissed Southwest Human Development as a Defendant. Defendants Southwest Human Development and Gwyneth Kelly filed their Fed. R. Civ. P. 54(b) Request for Entry of Judgment and no party has filed a response in opposition. In consideration of the Defendants' Request for Entry of Judgment, the Court has determined that the Court's Orders granting Defendants' Motions for Judgment of the Pleadings are ultimate dispositions of those claims. The Court has further determined that there is no just reason for delay of entry of judgment as to those specific counts on behalf of Defendants Gwyneth Kelly and Southwest Human Development, and good cause appearing,

IT IS ORDERED that a Final Judgment dismissing with prejudice Plaintiffs' claims against Defendant Gwyneth Kelly for 42 U.S.C. § 1983 - Unlawful Detention (Claim Two); 42 U.S.C. § 1983 – Conspiracy re Unlawful Seizure (Claim Four); 42 U.S.C. § 1983 - Reasonable Efforts to Preserve Family (Claim Five); 42 U.S.C. § 1983 – Due Process re Minors' Medical Decisions (Claim Six); Negligence/Ariz. Rev. Stat. § 8-802

1 Legal Rights (Claim Eight); Negligence/Ariz. Rev. Stat. § 8-533(B)(8) Reasonable Efforts
2 and Ariz. Rev. Stat. § 8-456(C)(1) Investigation (Claim Nine); and Intentional Infliction of
3 Emotional Distress (Claim Thirteen) is hereby entered in favor of Defendant Gwyneth
4 Kelly, and against Plaintiffs Jessica Kahraman, D.K. and K.K. in this matter and that there
5 is no just reason for delay such that entry of judgment is appropriate at this time in
6 accordance with Fed. R. Civ. P. 54(b);

7 **IT IS FURTHER ORDERED** that a Final Judgment dismissing with prejudice
8 Plaintiffs' claims against Defendant Southwest Human Development for Negligence
9 (hiring and training) (Claim Fifteen) is hereby entered in favor of Defendant Southwest
10 Human Development, and against Plaintiffs Jessica Kahraman, D.K. and K.K. in this
11 matter and that there is no just reason for delay such that entry of judgment is appropriate
12 at this time in accordance with Fed. R. Civ. P. 54(b).

13
14 Dated this 27th day of June, 2024.

15
16
17 
18 _____
19 Susan R. Bolton
20 United States District Judge
21
22
23
24
25
26
27
28